

SEP 14 2005
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TO: Examiner J. Kavanaugh	FROM: Byron S. Kuzara
COMPANY: U.S.P.T.O.	DATE: September 14, 2005
FAX NUMBER: 571-273-8300	TOTAL NO. OF PAGES: 3
RE: U.S. Serial No. 10/767,211	OUR REFERENCE NO.: 005127.00275

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NAME: Lesa Wolman	PHONE: 503-425-6800
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COMMENTS:

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Respectfully submitted,

By: Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Frederick J. DOJAN, et al.

Serial Number 10/767,211

Filed: January 28, 2004

For: ARTICLE OF FOOTWEAR HAVING A
FLUID-FILLED BLADDER WITH A
REINFORCING STRUCTURE

)
) Art Unit: 3728

)
) Examiner: Kavanaugh, J.

)
) Attorney Reference: 005127.00275

ELECTION OF SPECIES

Commissioner for Patents
Alexandria, VA 22313

Sir:

In response to the Election of Species Requirement mailed August 31, 2005, the Applicants elect Species I: Figures 1-11 and submit that claims 1-9, 11-15, 18-20, 24-31, 34-42, 46-76, 80-88, and 91-109 are readable thereon. Claims 10, 16-17, 21-23, 32-33, 43-45, 77-79, and 89-90 are, therefore, withdrawn from further consideration. This election is made without traverse.

The Applicants respectfully request that claims 10, 16-17, 21-23, 32-33, 43-45, 77-79, and 89-90 be considered if generic independent claims are allowed. In addition, the Applicants reserve the right to file divisional applications to concepts recited in the withdrawn claims.

This Election of Species is being timely filed by facsimile transmission on September 14, 2005. Should fees or an extension of time be deemed necessary for consideration of this Election of Species, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for payment. If anything further is desired, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

By: Byron S. Kuzara
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Dated: September 14, 2005